

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE SINGLETON,	:	Civil No. 1:13-cv-2711
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
LAUREL HARRY, et al.,	:	
	:	
Defendants.	:	Judge Sylvia H. Rambo

ORDER

Before the court is a report and recommendation of Chief Magistrate Judge Schwab in which she concludes that Singleton has adequately pleaded a violation of his right to due procedural process pertaining to his 402-day stay in solitary confinement and recommends that the court deny Defendants' request to dismiss this remaining claim. Objections to the report and recommendation were due on July 12, 2019, and to date no objections have been filed.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the court is satisfied

that the report and recommendation contains no clear error and will therefore adopt the recommendation. Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) Defendants' request to dismiss Singleton's remaining procedural due process claim is **DENIED**.
- 2) The court will permit expedited discovery on the issue of whether Singleton exhausted his administrative remedies.
- 3) This case is remanded back to Magistrate Judge Schwab for the issuance of a case management order and any further pre-trial proceedings.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: July 25, 2019